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THE ANDHRA PRADESH GAZETTE PUBLISHED BY AUTHORITY

W.No.14

AMARAVATI, WEDNESDAY, APRIL 11, 2018

G.9

PART II - MISCELLANEOUS NOTIFICATIONS OF INTEREST TO THE PUBLIC

--X--

NOTIFICATIONS BY HEADS OF DEPARTMENTS Etc.,

PRINCIPAL DISTRICT JUDGE, ANANTAPUR

ARTICLES OF CHARGES FRAMED AGAINST TO Sri P.TRIVEDILAL NAIK,
EXAMINER, SENIOR CIVIL JUDGE'S COURT, GOOTY.

Memo. Dis.No. 7257/2015/DE/Admn/Staff,- It is proposed to hold an enquiry against Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty in accordance with the procedure laid down in Rule 20 of the Andhra Pradesh Civil Services (Classification, Control & Appeal) Rules, 1991.

2) The substance of imputations of misconduct or misbehaviour in respect of which the enquiry is proposed to be held is set out in the enclosed statement of Articles of Charge (Annexure-I). A list of documents by which, and a list of witnesses by whom, the Articles of Charge are proposed to be sustained and its copies are enclosed (Annexure II & III). A statement of imputations is also enclosed.

3) Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is required to appear before the Disciplinary Authority (District Judge), Ananthapuram **within one month from the date of Publication of Charge Memo. In the Gazettee and submit Written Statement of his defence** and to state whether he desires to be heard in person.

4) Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is informed that an inquiry will be held only in respect of those Articles of Charge as are not admitted. He should, therefore, specifically admit or deny each Article of Charge.

5) Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is further informed that if he does not submit his Written Statement of defence within the stipulated period specified in para 3 above, further action will be processed on the material available.

6) Attention of Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is invited to Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964 under which no Government servant shall bring or attempt to bring any political or outside influence to bear upon any superior authority to further his/her interest in respect of matters pertaining to his/her service under Government. If any representation is received on his behalf from another person in respect of any matter dealt with in these proceedings, it will be presumed that Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is aware of such a representation and that it has been made at his instance and action will be taken against him for violation of Rule 24 of the Andhra Pradesh Civil Services (Conduct) Rules, 1964.

ANNEXURE - I

Statement of Articles of Charge framed against Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty, Ananthapuram District, A.P.

ARTICLE OF CHARGE:

That Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty has been absconding from duties from 12.08.2013 (even by the date these charges are framed) without any intimation or application for leave. He had applied for casual leave for one day on 20.07.2013 and sent an application through post for earned leave from 22.07.2013 to 31.07.2013 and sent another application through post for extension of earned leave from 01.08.2013 to 08.08.2013 suffixing public holidays from 09.08.2013 to 11.08.2013, on personal affairs. He has not rejoined duty even on expiry of the leave applied for by him. No specific purpose for which he requires leave is furnished. He simply furnished that his situation is not good and that he is having troubles. That the grounds mentioned by him for leave are not tenable. That he is under continuous unauthorised absence since 20.07.2013.

That, though Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is provided with sufficient opportunity by issuing Show Cause Notice in Dis.No.6526/2013/Admn/Staff dated 21.08.2013 of District Court, Anantapur, he has neither rejoined duty nor shown any cause for his absence. The above said Show Cause Notice is returned by his wife Smt. A.Parvathi Bai endorsing that her husband Sri P.Trivedilal Naik, Examiner is not coming to home and that his whereabouts are not known. She has also submitted a representation dated 25.10.2013 that he is not looking after the family properly.

That, thereby, Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is under unauthorised absence and is absconding from duties since 20.07.2013. without any just cause, which act/s of his, if proved or established would amount to gross misconduct and unbecoming of a Government servant within the meaning of Rule 3 of A.P. Civil Services (Conduct) Rules, 1964.

Basis of Charge :

- 1) Letter In Dis.No.421/Admn/Staff/2013 Dated: 05.08.2013 of the Senior Civil Judge, Gooty.
- 2) Show Cause Notice in Dis.No.6526/2013/Admn/Staff dated 21.08.2013 of District Court, Anantapur.

- 3) Letter in Dis.No.436/Admn/Staff/2013 Dated: 16.08.2013 of the Senior Civil Judge, Gooty, along with -
 - i) Leave application of Sri P.Trivedilal Naik, Examiner Dated: 22.07.2013 (received in office on 23.07.2013), along with leave rolls, for earned leave from 22.07.2013 to 31.07.2013.
 - ii) Leave application of Sri P.Trivedilal Naik, Examiner dated 01.08.2013 (received in office on 13.08.2013), along with leave rolls, for extension of earned leave from 01.08.2013 to 08.08.2013 suffixing public holidays from 09.08.2013 to 11.08.2013.
 - iii) Application of Sri P.Trivedilal Naik, Examiner dated 20.07.2013 for casual leave for one day on 20.07.2013.
 - iv) Leave application of Sri P.Trivedilal Naik, Examiner dated 02.07.2013 (received in office on 03.07.2013), along with leave rolls, for extension of earned leave from 02.07.2013 to 11.07.2013.
- 4) Letter in Dis.No.535/2013/Admn/Staff Dated : 27.12.2013 of the Senior Civil Judge, Gooty, along with -
 - i) Unserved Show Cause Notice in Dis.No.6526/2013/Admn/Staff Dated : 21.08.2013 containing endorsement of Smt. A.Parvathi Bai, W/o Sri P.Trivedilal Naik, Dated: 13.12.2013.
 - ii) Representation of Smt. A.Parvathi Bai, W/o Sri P.Trivedilal Naik, Examiner Dated: 25.10.2013.

ANNEXURE - II

List of documents by which the Article of Charge framed against **Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty, District Court, Anantapur** is proposed to be sustained.

- 1) Letter In Dis.No.421/Admn/Staff/2013 Dated: 05.08.2013 of the Senior Civil Judge, Gooty.
- 2) Show Cause Notice in Dis.No.6526/2013/Admn/Staff Dated: 21.08.2013 of District Court, Anantapur.
- 3) Letter in Dis.No.436/Admn/Staff/2013 Dated: 16.08.2013 of the Senior Civil Judge, Gooty, along with -
 - i) Leave application of Sri P.Trivedilal Naik, Examiner Dated: 22.07.2013 (received in office on 23.07.2013), along with leave rolls, for earned leave from 22.07.2013 to 31.07.2013.
 - ii) Leave application of Sri P.Trivedilal Naik, Examiner Dated: 01.08.2013 (received in office on 13.08.2013), along with leave rolls, for extension of earned leave from 01.08.2013 to 08.08.2013 suffixing public holidays from 09.08.2013 to 11.08.2013.
 - iii) Application of Sri P.Trivedilal Naik, Examiner Dated: 20.07.2013 for casual leave for one day on 20.07.2013.

- iv) Leave application of Sri P.Trivedilal Naik, Examiner Dated: 02.07.2013 (received in office on 03.07.2013), along with leave rolls, for extension of earned leave from 02.07.2013 to 11.07.2013.
- 4) Letter in Dis.No.535/2013/Admn/Staff Dated: 27.12.2013 of the Senior Civil Judge, Gooty, alongwith -
- i) Unserved Show Cause Notice in Dis.No.6526/2013/Admn/Staff Dated: 21.08.2013 containing endorsement of Smt. A.Parvathi Bai, W/o Sri P.Trivedilal Naik Dated: 13.12.2013.
 - ii) Representation of Smt. A.Parvathi Bai, W/o Sri P.Trivedilal Naik, Examiner Dated: 25.10.2013.

ANNEXURE - III

List of witnesses by whom the Article of Charge framed against **Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty** is proposed to be sustained.

1. Sri Y.Vijaya Kumar, Spl. Judge for trial of cases under SC/ST (POA) Act, Anantapur (formerly Senior Civil Judge, Gooty).
2. Smt. A.Parvathi Bai, W/o Sri P.Trivedilal Naik, working as Office Subordinate, Addl. Senior Civil Judge's Court, Anantapur.
3. Other witnesses, if any, whom the Enquiry Officer may deem fit and proper.

Statement of imputations of misconduct or misbehaviour in support of the Article of charge against Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty.

That the Senior Civil Judge, Gooty has reported, vide letter in Dis.No.421/Admn/Staff/2013 dated 05.08.2013, that Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty has applied for earned leave for 10 days from 02.07.2013 to 11.07.2013 through post and joined duty on 12.07.2013 and again applied for casual leave for one day on 20.07.2013 and subsequently applied for earned leave for 10 days from 22.07.2013 to 31.07.2013 through post and that the said casual leave and earned leave are not granted and that he is not attending the office since 20.07.2013 without any type of permission. Upon the said report, a show cause notice is issued to the individual in Dis.No.6526/2013/Admn/Staff Dated: 21.08.2013 of District Court, Anantapur. That the said Show Cause Notice is returned unserved with endorsement of the wife of Sri P.Trivedilal Naik, Examiner, by name Smt. A.Parvathi Bai to the effect that Sri P.Trivedilal Naik is not coming to home and that his whereabouts are not known to her. She has also submitted a representation Dated : 25.10.2013 complaining against her husband.

That the Senior Civil Judge, Gooty submitted another report in Dis.No.436/Admn/Staff/2013 dated 16.08.2013, along with leave applications of Sri P.Trivedilal Naik, Examiner, stating that Sri P.Trivedilal Naik, Examiner sent another application through post for extension of earned leave from 01.08.2013 to 08.08.2013 suffixing public holidays from 09.08.2013 to 11.08.2013.

That Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty is provided with sufficient opportunity by issuing Show Cause Notice. However, the said Show Cause Notice could not be served due to his absence at office and even at his residential address. He has neither rejoined duty nor shown any cause for his absence from the date from which he remained unauthorisedly absent.

The above act/s of unauthorised absence of Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty; if proved or established would amount to misconduct within the meaning of Rule 3 of A.P.Civil Services (Conduct) Rules, 1964. Hence, disciplinary action has been initiated against Sri P.Trivedilal Naik, Examiner, Senior Civil Judge's Court, Gooty for his misconduct; under Rule 20 of A.P. Civil Services (C.C & A) Rules, 1991.

Sd/-,

*Principal District Judge,
Ananthapuram.*

Dated : 16-03-2018.

To
Sri P.Trivedilal Naik,
(Examiner, Sr. Civil Judge's Court, Gooty),
D.No.5/992,
5th Road, Near Sai Baba Temple,
ANANTHAPURAM.

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